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On 6-11-04

TOWNSEND and TOWNSEND and CREW LLP

By: Edward Masinas

Edward Masinas

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Nielsen et al.

Application No.: 10/823,932

Filed: April 13, 2004

For: COMBINED TUMOR
SUPPRESSOR GENE THERAPY AND
CHEMOTHERAPY IN THE
TREATMENT OF NEOPLASMS

Examiner: Lacourciere, K.

Art Unit: 1635

SUPPLEMENTAL INFORMATION
DISCLOSURE STATEMENT UNDER 37
CFR §1.97 and §1.98

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

The references cited on attached form PTO/SB/08A and PTO/SB/08B are being called to the attention of the Examiner. Copies of the references are enclosed. It is respectfully requested that the cited references be expressly considered during the prosecution of this application, and the references be made of record therein and appear among the "references cited" on any patent to issue therefrom.

Also enclosed is a copy of Supplementary Partial European Search Report EP 98910038.

As provided for by 37 CFR 1.97(g) and (h), no inference should be made that the information and references cited are prior art merely because they are in this statement and no

representation is being made that a search has been conducted or that this statement encompasses all the possible relevant information.

Applicant believes that no fee is required for submission of this statement.

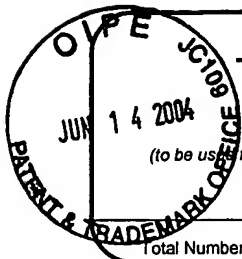
However, if a fee is required, the Commissioner is authorized to deduct such fee from the undersigned's Deposit Account No. 20-1430. Please deduct any additional fees from, or credit any overpayment to, the above-noted Deposit Account.

Respectfully submitted,



Nathan S. Cassell
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60235739 v1



TRANSMITTAL FORM

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Total Number of Pages in This Submission

Application Number	10/823,932
Filing Date	April 13, 2004
First Named Inventor	Nielsen, Loretta
Art Unit	1635
Examiner Name	Lacourciere, K.
Attorney Docket Number	016930-003713US

ENCLOSURES (Check all that apply)

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5 Reference Copies, EP Search Report |
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SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	Townsend and Townsend and Crew LLP	
	Nathan S. Cassell	Reg. No. 42,396
Signature	<i>Nathan S. Cassell</i>	
Date	6-10-04	

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Typed or printed name	Edward Masinas		
Signature	<i>Edward Masinas</i>	Date	6-11-04

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INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary)		Application Number	10/823,932
		Filing Date	April 13, 2004
		First Named Inventor	Nielsen, Loretta
		Art Unit	1635
		Examiner Name	Lacourciere, K.
		Attorney Docket Number	016930-003713US
Sheet	3	of	

U.S. PATENT DOCUMENTS+					
Examiner Initials*	Cite No. ¹	Document Number Number Kind Code ² (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear

FOREIGN PATENT DOCUMENTS								
Examiner Initials*	Cite No. ¹	Foreign Patent Document			Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ²
		Country Code ³	Number ⁴	Kind Code ⁵ (if known)				
	A	WO	95/10514	A1	04-20-1995	Schering Corp.		<input type="checkbox"/>
	B	WO	95/28948	A1	11-02-1995	Univ. Texas		<input type="checkbox"/>
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NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
	C	HARRIS et al., "Structure and function of the p53 tumor suppressor gene: Clues for rational cancer therapeutic strategies" <i>J. Natl. Cancer Inst.</i> (1996) <u>88</u> (20):1442-1455.	
	D	NIELSEN et al., "Combination therapy with the Farnesyl protein transferase inhibitor SCH66336 and SCH58500 (p53 Adenovirus) in preclinical cancer models" <i>Cancer Research</i> (1999) <u>59</u> :5896-5901.	
	E	TISHLER et al., "Microtubule-active drugs Taxol, Vinblastine, and Nocodazole increase the levels of transcriptionally active p53" <i>Cancer Research</i> (1995) <u>55</u> :6021-6025.	

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Examiner Signature		Date Considered	
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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